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I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Olga M. Franz
Printed Name

Olga M. Franz
Signature

**PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Jiban Kumar Chakrabarti,
Et al.) Batch No.: N89
Serial No. : 09/122,294)
Filed : July 24, 1998) Group Art Unit:
For : PROCESS FOR PREPARING) 1611
: 2-METHYL-THIENO-) Examiner:
: BENZODIAZEPINE) T. Truong
Docket No. : G-1265H)
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COMMUNICATION

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

While preparing the paperwork submitting the issue fee and reviewing the file, it appears that a Supplementary Oath should have been prepared for the subject matter claimed in the instant application. Applicants, therefore, are filing a CPA in order to have sufficient time to prepare a Supplemental Oath.

The Assistant Commissioner is hereby authorized to charge any additional fees which may be required by this response, or credit any overpayment, to Deposit Account No. 05-0840.

Respectfully submitted,

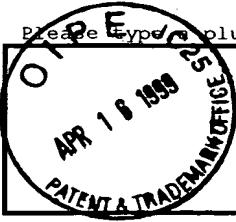
Arleen Palmberg
Arleen Palmberg
Attorney for Applicants
Registration No. 40,422
Phone: 317-276-6015

Eli Lilly and Company
Patent Division/DC-1104/AP
Lilly Corporate Center
Indianapolis, Indiana 46285

April 16, 1999

~~Please type a plus sign (+) inside this box →~~ +

PTO/SB/29 112/97



**CONTINUED PROSECUTION APPLICATION (CPA)
REQUEST TRANSMITTAL**

Submit an original, and a duplicate for fee processing.

(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

CHECK BOX, if applicable:

DUPPLICATE

Address to:	Assistant Commissioner for Patents Box CPA Washington, DC 20231	Attorney Docket No.	G-1265H
		First Named Inventor	Chakrabarti, et al
		Express Mail Label No.	EL042028804US

This is a request for a continuation or divisional application under 37 CFR 1.53(d),
(continued prosecution application (CPA)) of prior application number 09/122,294

filed on July 24, 1998 entitled PROCESS FOR PREPARING 2-METHYL-THIENO-BENZODIAZEPINE

NOTES

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371.

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

1. Enter the unentered amendment previously filed on under 37 CFR 1.116 in the prior nonprovisional application.
2. A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
 - a. DELETE the following inventor(s) named in the prior nonprovisional application:
 - b. The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
 - a. PTO-1449

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PTO/SB/29 (12/97)

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c))	1 - 20 =	—	x \$ 18.00 =	\$ - 0 -
	INDEPENDENT CLAIMS (37 CFR 1.16(b))	1 - 3 =	—	x \$ 78.00 =	- 0 -
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+\$ _____ =	- 0 -
				BASIC FEE (37 CFR 1.16(a))	\$ 760.00
			Total of above Calculations=		\$ 760.00
	Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28).				
				TOTAL =	\$ 760.00

6. Small entity status:

- A small entity statement is enclosed.
- A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
- Is no longer claimed.

7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 05-0840:

- Fees required under 37 CFR 1.16.
- Fees required under 37 CFR 1.17.
- Fees required under 37 CFR 1.18.

8. A check in the amount of \$ _____ is enclosed.

9. Other: Communication

NOTE: The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.

10. NEW CORRESPONDENCE ADDRESS					
<input type="checkbox"/>	Customer Number or Bar Code Label	(Insert Customer No. Or Attach bar code label here)			<input type="checkbox"/> or <input type="checkbox"/> Correspondence address below
NAME	Arleen Palmberg				
	Eli Lilly and Company				
ADDRESS	Lilly Corporate Center				
	Patent Division DC: 1104				
CITY	Indianapolis	STATE	Indiana	ZIP CODE	46285
COUNTRY	U.S.A.	TELEPHONE	317-276-6015	FAX	317-276-2763

11. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED					
NAME	Arleen Palmberg				
SIGNATURE	<u>Arleen Palmberg</u>				
DATE	April 16, 1999				

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Olga M. Frentz
Printed Name

Olga M. Frentz
Signature